

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

STEPHEN PENROSE, JAMES THOMAS,
JOSEPH GUARDINO, and DANIEL POPE on
behalf of themselves and all others similarly
situated,

Plaintiffs,

vs.

BUFFALO TRACE DISTILLERY, INC., OLD
CHARTER DISTILLERY CO., and
SAZERAC COMPANY, INC.,

Defendants.

CASE NO. 4:17-CV-00294

**UNOPPOSED MOTION FOR BRIEFING SCHEDULE ON
MOTION TO TRANSFER AND MOTION TO DISMISS**

COMES NOW Defendants Buffalo Trace Distillery, Inc., Old Charter Distillery Co., and Sazerac Company, Inc. (collectively, “Defendants”), by and through its undersigned counsel, and hereby request that the Court set a briefing schedule concerning Defendants’ Motion to Transfer Venue to the Western District of Kentucky (“Motion to Transfer”) and their Motion to Dismiss the Class Action Complaint (“Motion to Dismiss”) filed by Plaintiffs Stephen Penrose, James Thomas, Joseph Guardino, and Daniel Pope (“Plaintiffs”). In support of their Motion, Defendants state:

1. On January 27, 2017, Plaintiffs filed a putative nationwide class action.
2. On April 6, 2017, Defendants filed their Motion To Transfer and their Motion to Dismiss.
3. Pursuant to Local Civil Rule 7-401(B), Plaintiffs’ oppositions are due on April 13, 2017.

4. Plaintiffs' counsel has advised Defendants' counsel that they have limited availability over the next two weeks due to religious observance of Passover.

5. Moreover, the parties agree that additional time is required to fully brief the issues set forth in the motions.

6. Therefore, the parties agree to the following briefing schedule for the Motion to Transfer:

Filing	Proposed Date
Plaintiffs' opposition to motion to transfer	April 27, 2017
Defendants' reply in support of motion to transfer	May 18, 2017

7. The parties agree to the filing briefing schedule for the Motion to Dismiss:

Filing	Proposed Date
Plaintiff's opposition to motion to dismiss	May 18, 2017
Defendants' reply in support of motion to dismiss	June 14, 2017

WHEREFORE, for all of the foregoing reasons, the parties respectfully request that the Court enter an Order: (a) setting a briefing schedule as outlined above with respect to Defendants' Motion to Transfer and Motion to Dismiss; and (b) granting such other and further relief as the Court deems just and proper under the circumstances.

Dated: April 7, 2017

Respectfully submitted,

/s/ William R. Bay

THOMPSON COBURN LLP

William R. Bay

(wbay@thompsoncoburn.com)

One US Bank Plaza

St. Louis, Missouri 63101

Phone: (314) 552-6008

COOLEY LLP

Michelle C. Doolin *pro hac vice pending*

(mdoolin@cooley.com)

Darcie A. Tilly *pro hac vice pending*

(dtilly@cooley.com)

4401 Eastgate Mall

San Diego, CA 92121

Phone: (858) 550-6000

*Attorneys for Defendants Buffalo Trace
Distillery, Inc., Old Charter Distillery Co.,
and Sazerac Company, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of April, 2017, a copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, which in turn forwarded notification of same to all counsel of record in these proceedings.

/s/ William R. Bay